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Minutes of the
Bountiful City Council Meeting
City Council Chambers
August 23, 2011 - 7:00 p.m.

Present: Mayor: Joe L. Johnson
Council Members: Beth Holbrook, John Marc Knight, Fred Moss,
Scott Myers, and Thomas Tolman
City Manager: Tom Hardy
City Attorney: Russell Mahan
City Engineer: Paul Rowland
Admin. Services Dir.: Galen Rasmussen
Planning/RDA Director: Aric Jensen
Department Heads: Allen Johnson, Power
Tom Ross, Police
Recording Secretary: Nancy Lawrence

Official Notice of this meeting had been given by posting a written notice of same and an Agenda at the City Hall and providing copies to the following newspapers of general circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune and on the Utah Public Notice Website.

Mayor Johnson called the meeting to order at 7:00 p.m. Chief Ross led the pledge of allegiance to the flag. The prayer/thought was given by Mr. Rasmussen.

APPROVAL OF MINUTES

Minutes of the **Special** City Council/Power Commission meeting held August 9, 2011 were presented and unanimously approved as written on a motion made by Councilman Moss and seconded by Councilwoman Holbrook. Minutes of the **regular** City Council meeting held August 9, 2011 were then presented, and Councilman Tolman motioned for approval. Councilman Moss seconded the motion. Both motions passed by a majority with Councilpersons Holbrook, Knight, Moss, and Tolman voting "aye". Councilman Myers was not in attendance at the meetings and abstained from voting.

COUNCIL REPORTS

Councilwoman Holbrook reported that the "Endless Summer" concert was a great success, and she thanked all those who helped with the event.

YOUTH COUNCIL REPORT

Nate Blackhurst, Davis County Fair Youth Council representative, reported that the Youth Council helped with the Demolition Derby and participated in a Flash Mob at the Davis County Fair. The month of September will not have as much planned by the Youth Council members and will give them an opportunity to get back to school and ready for a new year.

WEEKLY EXPENDITURES AND EXPENSES APPROVED

Mayor Johnson presented the report for expenditures and expenses greater than \$1,000 for the periods July 28 – August 3, 2011 (\$455,216.40), August 4 – 10, 2011 (\$511,386.52) and

1 the Summary for the Month of July, 2011 totaling \$4,181,083.38. Following discussion, these
2 reports were approved on a motion made by Councilman Myers and seconded by Councilwoman
3 Holbrook. Voting was unanimous with Councilpersons Holbrook, Knight, Moss, Myers and
4 Tolman voting "aye".

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6 **REQUESTS FROM POWER DEPARTMENT APPROVED**

7 Mr. Allen Johnson presented the following positive recommendations from staff and the
8 Power Commission for the Council's consideration.

9 a. **Purchase of 140 induction horizontal street lights.** Bountiful City received a
10 \$177,100 Federal Stimulus grant to improve the energy efficiency and quality of street lights in
11 Bountiful. Bids were requested for this project, based on Federal guidelines, and Tanko Lighting
12 was awarded the bid. Some of the lights have been purchased and installed. It is now
13 recommended by staff and the Power Commission that 140 induction lights be purchased at a
14 cost of \$35,100 to use the remainder of the Stimulus program money. Councilman Moss made a
15 motion to this effect, Councilwoman Holbrook seconded the motion and voting was unanimous.
16 Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".
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18 b. **Award bid for power plant upgrade Phase II contractor.** Mr. Johnson
19 reported that bids were requested for Phase II of the Power Plant Upgrade (including demolition
20 of the old plant, the building construction, installation of the new turbine generators, and
21 substation upgrade). Four contractors responded and it is the recommendation of staff, the
22 project engineer (ICPE), architect (Chris Layton & Associates), and the Power Commission that
23 the bid be awarded to Big-D Construction, lowest qualifying bidder, in the amount of
24 \$4,637,000. It was noted that the low bidder, Interwest, had missed the demolition cost of
25 \$96,125 plus their overhead costs.
26

27 Roger Cox, Bountiful resident and principle of Interwest Construction, was in attendance
28 to request that the Council consider the bid from Interwest Construction in the amount of
29 \$4,197,000. Mr. Johnson explained that the recommendation of Big-D was based on the fact that
30 the major part of Phase II is the installation of the turbines and the electrical subcontractor
31 (Wasatch Electric) was considered more capable of meeting the timetable. Their background
32 and experience is more relevant, recent, and extensive. The installation of the turbines represents
33 45 percent of the contract. Mr. Hardy noted that in no way was this a negative reflection on
34 Interwest or Cache Valley Electric (subcontractor included in the Interwest bid). Mr. Mahan
35 advised the Council that under State law and Supreme Court interpretation, the City Council has
36 the discretion to select the lowest *responsive* bidder. With all factors considered, the
37 recommendation for Big D Construction with Wasatch Electric was considered lowest
38 responsive bid. After a lengthy discussion, Councilman Moss made a motion to award the
39 contract to Big-D Construction in the amount of \$4,647,000 with an additional approval of
40 \$63,000 for staff to approve additional expenses for unforeseen conditions for a total approval of
41 \$4,700,000. Councilman Myers seconded the motion which carried unanimously.
42 Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye". Councilman Moss
43 reiterated that this action in no way was a vote against Interwest, but a recognition of more
44 experience and support for less problems during installation of the Titan generators.
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46

1 c. **Approval of change orders on dispatch/shop construction project.** Mr.
2 Johnson reviewed that the Power Department is in the process of finalizing the Dispatch/Shop
3 construction project with Interwest Construction and it is recommended by staff and the Power
4 Commission to approve the following Change Orders. (He noted that Change Orders #1 and #2
5 have already been approved in the amount of \$62,454.00).

6 Change Order #3 (\$18,495): Installation of an antenna foundation and painting of the
7 basement walls and ceilings (an addition to the original scope).

8 Change Order #4 (\$28,062): Installation of transformer pads and basins; pads for
9 switchgear, voltage regulator and bypass switch; replacement of damaged sidewalk; extension of
10 gas line for the emergency generator; and the grounding system (all an addition to original
11 scope).

12
13 Councilman Moss made a motion to approve Change Orders 3 and 4, totaling \$46,557,
14 bringing the final project cost to \$1,414,011. Councilwoman Holbrook seconded the motion and
15 voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted
16 “aye”.

17
18 d. **Accept bid from Americom for line and equipment installation in dispatch**
19 **center.** As part of the Power Plant Upgrade, the existing City fiber optic communication loop
20 must be rerouted and additional communications equipment installed in the new Dispatch
21 Center. The City IT department contacted Americom Technologies Inc. who originally installed
22 the City’s fiber loop system and Americom Technologies Inc. presented a proposal to do this
23 work at a cost of \$23,764.41. This will be funded from the plant construction capital account.
24 Based on the recommendation of the Power Commission and staff, Councilman Moss made a
25 motion to award the bid to Americom, as presented. Councilwoman Holbrook seconded the
26 motion which carried unanimously. Councilpersons Holbrook, Knight, Moss, Myers and
27 Tolman voted “aye”.

28
29 e. **Grant easements at 138kV Substation.** Mr. Johnson explained that part of the
30 138kV Substation upgrade included some easement releases by Rocky Mountain Power and the
31 granting of new easements by Bountiful City. He reviewed the easement changes that are
32 needed (as shown on a colored diagram of the substation), and said that the City Attorney,
33 department staff and Power Commission recommend approval. Councilman Moss made a
34 motion to approve the easement changes, Councilwoman Holbrook seconded the motion and
35 voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted
36 “aye”.

37
38 **BEER LICENSE APPROVED FOR DICK’S MARKET, 2280**
39 **SOUTH ORCHARD DR.**

40 Aric Jensen reviewed that Dick’s Market (2280 South Orchard Dr.) has changed
41 ownership and is changing their policy to provide for the sale of beer. They have applied for a
42 Commercial Beer License (Class A), the police department has reviewed the application and it
43 comes to the Council with a positive recommendation. A short discussion followed regarding
44 the sale of beer in Bountiful, following which Councilman Myers made a motion to approve the
45 application, as presented. Councilwoman Holbrook seconded the motion and voting was
46 unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

1 Councilman Tolman clarified that persons who sell beer must be at least 21 years of age. He
2 suggested that this rule be clarified with the management at Dicks. Mayor Johnson also
3 requested that Mr. Jensen make the management aware of quarterly checks done by the Police
4 department for compliance with laws related to the sale of beer.

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6 **GROUND LEASE APPROVED FOR HIGH SPEED WIRELESS**
7 **TRANSMISSION EQUIPMENT; SUMMERWOOD RESERVOIR SITE**

8 Mr. Rowland reviewed that SkyBeam, Inc, d.b.a. Digis Wireless, has requested
9 permission to enter into a lease agreement with the City to provide for the use of a small
10 transmission antenna at the Summerwood Reservoir site. The company that installed the antenna
11 has abandoned the site, but the small antenna remains. Highlights of the proposed agreement
12 provide that Digis will pay \$600/month for the use of the property. They will supply liability
13 insurance and not interfere with the City's operation of the reservoir and pump house. The lease
14 agreement has been reviewed by Mr. Mahan and comes with his approval. Troy Blair,
15 representative of Digis, was in attendance and entertained questions from the Council.
16 Councilman Knight motioned to approve the lease agreement with the provision that the old
17 equipment be removed by Digis (at no cost to the City) and the agreement be amended to reflect
18 the City Engineer's recommendations for access and inclusion of Exhibit "A", a diagram of the
19 equipment cabinet and it's placement. Councilman Tolman seconded the motion which carried
20 unanimously. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".
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22 The meeting adjourned at 7:52 p.m. on a motion made by Councilwoman Holbrook and
23 seconded by Councilman Moss. Voting was unanimous with Councilpersons Holbrook, Knight,
24 Moss, Myers and Tolman voting "aye".
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JOE L. JOHNSON, Mayor

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34 KIM J. COLEMAN, City Recorder

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